

**DRAWINGS:**

Replacement Sheets for FIGS. 5-17 are provide herein. Each drawing is amended by adding the reference numerals found in the detailed description, therefore no new matter has been added. A notice to that effect is respectfully requested.

### **REMARKS**

The following remarks are intended to be fully responsive to the Office Action mailed January 14, 2005. If any aspect of this response is deemed deficient, the Examiner is invited to contact the Applicant's representative.

### **WITHDRAWN CLAIMS:**

If the Examiner allows the pending claims, the Applicant respectfully requests that withdrawn claims 10-13 and 16-17 be reinstated because they are believed to be generic to claim 1. A notice to that effect is respectfully requested.

### **102 REJECTIONS**

Claims 1-3, 5-8, 14-15, 18-19 and 21 are rejected under 35 U.S.C. 102, as being anticipated by Brand et al. (USP 5,001,080). The Applicant respectfully traverses.

The present invention is related to, but not limited to, MEMS-type devices. As described in the background section of the present invention, prior devices have had issues of chipping or breaking, which the present invention seeks to cure. This problem is cured by the process in Claim 1, which recites, among other limitations, etching a pattern into a surface of the device to form "at least three sidewalls and a rounded edge between the surface of the device and all of the at least three sidewalls in the feature." The Office Action alleges that Fig. 10C (and description in Col. 3, lns. 35-40) disclose this limitation.

Brand et al. discloses a method to produce a pattern on a substrate of a slider. Brand shows in FIG. 10C a recessed feature having only 2 sidewalls. Nowhere in the description of the embodiments of Brand does it disclose forming a feature having three sidewalls, wherein each of the three sidewalls is rounded. Because Brand does not disclose each and every embodiments of claim 1, there can be no anticipation. A notice to that effect is respectfully requested.

Claims 2-3, 5, 14-15, and 18-19 depend from independent claim 1 and, as described above, define further features and structure of the device. Accordingly, these claims are patentable for

the reasons noted above with respect to claim 1 as well for the additional features recited therein. Therefore, notice to the effect that dependent claims 2-3, 5, 14-15, and 18-19 are in a condition for allowance is respectfully requested.

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CERTIFICATION UNDER 37 C.F.R. 1.8

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I hereby certify that this Response and the documents referred to as attached therein are being transmitted via facsimile to facsimile number 703-872-9306 at the United States Patent and Trademark Office Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown above.

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